

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

VOYAGER DIGITAL, LLC, et al.,

Defendants.

Case No. 23-cv-08960-GHW-SLC

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint and Declaration, Defendant Stephen Ehrlich and Relief Defendant Francine Ehrlich, by and through the undersigned counsel, hereby moves this Court, before the Honorable Gregory H. Woods, District Judge for the U.S. District Court for the Southern District of New York, for an Order dismissing Plaintiff Federal Trade Commission's Complaint (ECF No. 1) in its entirety and with prejudice pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f), and such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that any opposition and reply papers shall be filed in accordance with the briefing schedule set forth in the Court's January 3, 2024 Order (ECF No. 41).

Dated: February 12, 2024
Stamford, Connecticut

DEFENDANT STEPHEN EHRLICH

By: /s/ Helen Harris

Helen Harris
Day Pitney LLP
One Stamford Plaza, 7th Floor
263 Tresser Boulevard
Stamford, Connecticut 06901
T: (203) 977-7418
F: (203) 399-5884
hharris@daypitney.com

Matthew Letten
Day Pitney LLP
225 Asylum Street
Hartford, Connecticut 06103
T: (860) 275-0100
F: (860) 275-0343
mletten@daypitney.com

Sarah Krissoff
Cozen O' Connor
3 WTC, 175 Greenwich Street
New York, NY 10007
T: (212) 908-1388
F: (646) 225-5128
skrissoff@cozen.com

*Attorneys for Defendant Stephen Ehrlich and
Relief Defendant Francine Ehrlich*